

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

1423-5 PCT US

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/509258

INTERNATIONAL APPLICATION NO.

PCT/GB03/01336

INTERNATIONAL FILING DATE

27 March 2003

PRIORITY DATE CLAIMED

28 March 2002

TITLE OF INVENTION

IMPROVED SURGICAL TOOL MECHANISM

APPLICANT(S) FOR DO/EO/US

Michael John Radley Young and Stephen Michael Radley Young

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Form PCT/IB/308; Copy of International Search Report with copies of four (4) references cited therein; Return Postcard; Check in the amount of \$460.00

U.S. APPLICATION NO. (if known, fill in)

10/509258

INTERNATIONAL APPLICATION NO.

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21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. .... <b>\$1080.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>	
				\$ 920.00	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	19 - 20 =	0	x \$18.00	\$ 0.00	
Independent claims	2 - 3 =	0	x \$86.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 920.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 460.00	
<b>SUBTOTAL =</b>				\$ 460.00	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 460.00	
				Amount to be refunded:	\$
				charged:	\$

a. ☒ A check in the amount of \$ 460.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 50-2140 in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

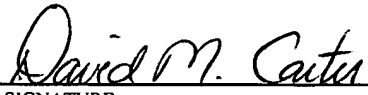
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 50-2140. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)  
or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Carter, DeLuca, Farrell & Schmidt, LLP  
 445 Broad Hollow Road, Suite 225  
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 SIGNATURE  
 David M. Carter  
 NAME  
 30,949  
 REGISTRATION NUMBER

10/509258

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael John Radley Young et al. DT04 Rec'd PCT/PTO 27 SEP 2004  
Serial No.: Not Yet Assigned  
Filed: Concurrently herewith Docket: 1423-5 PCT US  
For: **IMPROVED SURGICAL TOOL MECHANISM**

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22131-1450

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No.: EV 447673853 US

Date of Deposit: September 27, 2004

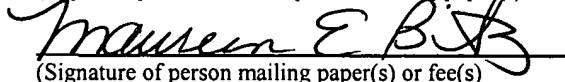
I hereby certify that the following attached paper(s) or fee(s):

1. Transmittal Letter to the U.S. Designated/Elected Office (in triplicate)
2. Copy of International Application as filed  
(Specification - 17 pgs; Claims - 4 pgs.; Abstract - 1 pg.; 7 sheets of drawings)
3. Copy of Form PTO/IB/308
4. Preliminary Amendment
5. Information Disclosure Statement with form PTO-1449  
and copies of four (4) references cited therein
6. Check in the amount of \$460.00
7. Certificate of mailing by Express Mail Label No. EV447673853US
8. Return postcard receipt

are being deposited with the United States Postal Service "Express Mail Post Office of Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22131-1450.

Maureen E. Bitz

(Typed or printed name of person mailing paper(s) or fee(s))



(Signature of person mailing paper(s) or fee(s))

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